

DATE ISSUED:.....August 9, 2000 ..... REPORT NO. 00-165

ATTENTION:..Honorable Mayor and City Council  
..... Docket of August 15, 2000

SUBJECT:..... Burn Ash Site Remediation

REFERENCE: City Manager Report No. 00-14, dated January 27, 2000

### SUMMARY

Issue - What actions should the City Council take to facilitate clean up and remediation of old burn ash (burn dump) sites within the City of San Diego?

#### Manager's Recommendations

- 1..... Extend the City's appreciation to U.S. Environmental Protection Agency (EPA) for their cooperation in the investigation and remediation of the 38<sup>th</sup> Street Burn Site;
- 2..... Authorize the City Manager to advance and transfer \$1,500,000 from the Landfill Closure Reserve Fund No. 41202 to CIP 32-010.0, Annual Allocation – Unclassified Disposal Site Closure Fund No. 41201;
- 3..... Authorize City Manager to expend \$1,500,000 from Refuse Disposal Enterprise Fund No. 41201 CIP 32-010.0, Annual Allocation – Unclassified Disposal Site Closure for burn site assessments, remediation and cost associated with resolving burn ash site issues, provided that an Auditor's Certificate is furnished demonstrating funds for this are or will be on deposit in the City Treasury. No demolition or construction activities will occur with this action, and;
- 4..... Approve one additional Deputy Director position to oversee hazardous materials management issues.

Other Recommendations - None.

Fiscal Impact - The transfer of \$1,500,000 from the Landfill Closure Reserve Fund to CIP 32-010.0 will be repaid from the Refuse Disposal Enterprise Fund in installments of \$150,000 a year beginning in FY 2002.

## BACKGROUND

### General

A 1938 Planning Commission report to the City Council on refuse dumps identified 52 active dumpsites within the City of San Diego. While the report identified a number of disposal sites where burning may have occurred, burning of trash was a regular occurrence from prior to 1938 through the early 1950's, so that list may not have been inclusive of all historic burn sites within the City. In the 1970's, health concerns associated with burning rubbish became nationally publicized and burn dumps were banned as a method for managing solid waste by federal and state legislation.

Today, areas where historic trash burning occurred are called Aburn ash sites and are of concern because the burning of non-hazardous municipal waste concentrated certain metals (lead, copper, and zinc) to levels that may be defined as hazardous under state and federal regulations. Soil, with elevated levels of metals, potentially poses a health risk if it becomes airborne, is eroded into surface waters, or is ingested. Individuals, especially children under the age of six, that are exposed to elevated levels of these contaminants via inhalation or ingestion may experience adverse health effects. Because of these potential public health issues, burn ash sites are regulated by state or federal agencies.

### 38<sup>th</sup> Street Burn Ash Site

The 38<sup>th</sup> Burn Ash Site is located at the westerly intersection of 38<sup>th</sup> and Redwood Street in a City Heights residential neighborhood. It is bound by developed residential parcels on the east, north and south, and by Highway I-15 on the west. Although not specifically identified in the 1938 report, historic records indicate dumping and burning of trash occurred at this site as early as 1928 and also includes indications that City forces used this site.

In 1998, the City's Local Enforcement Agency (LEA) inspected the site and issued a Notice of Violation to the City's Transportation Department because burn ash was observed on the surface of a vacant City right-of-way parcel. The LEA requested immediate steps be taken to grade the site, cover exposed burn ash material and secure the site to prevent public access. Because of its solid waste expertise, the Environmental Services Department (ESD) was called upon and addressed the LEA's immediate concerns.

The City requested the Integrated Waste Management Board (CIWMB) to assist in the further investigation and delineation of the site. In an unusual occurrence, radioactive sources were discovered buried within the vacant parcel, which were removed by the U.S. Environmental Protection Agency (EPA). According to the EPA, surface radiation from those sources was too weak to harm anyone on the site or in the area. A thorough radiation survey of the vacant lot and adjacent residential lots was conducted during all subsequent site activities and found no additional radioactive materials.

In January 2000, the CIWMB declined to take a lead role over site remediation efforts, and instead deferred to a City-lead project and approved a conditional matching fund grant in the amount of \$250,000. The City retained the services of a consultant, URS, to continue and complete the investigation as to the extent of the contamination in the area. The further investigations and assessments indicated that portions of eight residential parcels and a vacant lot are underlain by fill that includes burn ash and contaminated soils.

#### EPA Partnership

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EPA offered to assist the City in mitigating potential health risks to the community associated with the 38<sup>th</sup> Street burn ash site. In March 2000, EPA removed contaminated soil from the property at 3124 38<sup>th</sup> Street and restored the property to its original condition. EPA has approved an Action Memorandum and allocated \$888,000 for completion of this project. EPA will provide on-going technical and logistical support to the City including sampling, air monitoring, radioactive material screening, removal and proper disposal of contaminated soil from the remediation of this site. The City will be the lead and provide funding for all public contact and liaison activities, and will coordinate agency involvement, site access, maintenance of the vacant lot and temporary control measures such as fencing and interim cover.

#### Remediation of Burn Sites

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Remediation alternatives for burn ash sites are based on numerous site-specific factors. Consideration is given to potential health risks, levels of contamination, potential for exposure by individuals, final use of the site and costs associated with remediation alternatives. Remediation alternatives include consolidating and burying the ash on site, leaving the ash buried below several feet of clean soil, capping the ash with asphalt and/or removal of the ash to levels below health risk based levels. All or a combination of these alternatives have been used in the remediation of other burn ash sites in California.

#### DISCUSSION

Environmental Services Department has served as the lead department on this issue, but funding required for the assessment and remediation of the 38<sup>th</sup> Street burn site, and other potential burn sites, is not currently incorporated within the Department's budget. Operation of old burn sites, as well as the collection and disposal of city trash from 1930 through 1985, was a General Fund activity within the Public Works Department and pre-dated the establishment of the Refuse Disposal Enterprise Fund.

A transfer of \$1,500,000 from the Miramar Landfill Closure Reserve Fund to CIP 32.010.0 will provide a source funding for additional burn site assessments, remediation and other costs associated with resolving burn ash site issues.

This federal EPA cleanup does not anticipate any discretionary action by the City Council and will be paid for by EPA's Emergency Response Unit. The City, as a partner, will continue to provide community outreach to the residents, coordination with the media and technical and professional consulting services, which would be paid from the transferred funds.

The City has initiated discussions with Caltrans to create a partnership that would allow Caltrans property to be included in this remediation project so residents would not have to experience two separate remediation efforts. Caltrans has indicated its willingness to participate and to reimburse the City for the costs related to the investigation and preparation of remediation plans associated with its property.

### Hazardous Materials Management

Because of the increasing level of regulatory requirements addressing environmental concerns, including remediation of burn ash sites, it is proposed to add a Deputy Director position, requiring a high level of expertise in hazardous materials management, site remediation and dealing with regulatory agencies, to increase the City's focus on responding to these critical issues.

The position will oversee the department's resources and management functions dealing with hazardous waste issues and environmental concerns such as site remediation, underground storage tank programs, lead and asbestos abatement, hazardous materials management, training and enforcement. Over \$250,000 was spent on management, technical and legal consultants to assist the department in dealing with state and federal regulatory agencies on the 38<sup>th</sup> Street burn ash site during the last year. By having in-house expertise through the new Deputy Director position, the department could significantly reduce consulting services in dealing with the remediation of burn ash sites. At least 12, and potentially more, burn ash sites with a City nexus have been identified that will require some level of investigation and/or remediation in the next few years.

The additional position would be accomplished within the funding levels in the approved FY 2001 budget. The Civil Service Commission approved the exempting of the position at its meeting in May, 2000.

CONCLUSION

While the remediation of historic burn ash sites is a relatively new issue, it is reflective of the growing trend to correct past environmental problems to protect the health and well being of current and future City residents. The City's knowledge regarding historic burn ash sites within our jurisdiction is still limited and will require significant further investigation, sampling and research to fully understand the extent and cost of remediation efforts that will be needed in the future. To this end, the Environmental Services Department has enlisted the assistance of numerous agencies, consultants and EPA to help provide technical assistance while the department develops and implements a new Environmental Protection Division that will become responsible for the remediation of burn ash sites and the management of other issues related to hazardous materials and environmental concerns.

Of utmost importance is proceeding with project plans to remediate the 38<sup>th</sup> Street Burn Ash Site in order to protect public health and safety, and to take full advantage of the assistance and funding offered by EPA.

Respectfully submitted,

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Richard L. Hays..... Approved: ..... Frank Belock, Jr.  
Environmental Services Department. .... Deputy City Manager

HAYS/EPLER/SMC